

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

RODNEY FRANKLIN,

Civil No. 07-3530 (JRT/RLE)

Petitioner,

v.

LYNN DINGLE,

**ORDER ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

Respondent.

Rodney Franklin, #2173866, MCF, 970 Pickett Street, Bayport, MN 55003, petitioner *pro se*.

Peter R. Marker, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, 445 Minnesota Street, Suite 900, St Paul, MN 55101; David C. Brown, **HENNEPIN COUNTY ATTORNEY'S OFFICE**, 300 South Sixth Street, Suite A-2000, Minneapolis, MN 55487, for respondent.

The above matter comes before the Court upon the Report and Recommendation of Chief United States Magistrate Judge Raymond L. Erickson dated March 31, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the United States Magistrate Judge, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS HEREBY ORDERED** that the Petition for a Writ of Habeas Corpus [Docket No. 1] is denied.

DATED: April 25, 2008
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge